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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,702	06/04/2001	Jong-Cheol Bae	678-670(P9675)	4963
28249	7590	09/11/2006	EXAMINER	
DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. UNIONDALE, NY 11553			DEAN, RAYMOND S	
			ART UNIT	PAPER NUMBER
			2618	

DATE MAILED: 09/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/873,702	Applicant(s) BAE, JONG-CHEOL	
	Examiner Raymond S. Dean	Art Unit 2618	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 May 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 - 8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 - 8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed May 24, 2006 have been fully considered but they are not persuasive.

Examiner respectfully disagrees with Applicant's assertion that Gaskill does not teach coding according to type and content. The message type is an indication of the content. When, for example, sports information is broadcast to a subscriber said subscriber's mobile device would display a coded format that indicates the type of broadcast information, which is sports information, which implies that the content is sports content. If the type of information is known then the content is known thus the messages codes of Gaskill are based on type and content.

Examiner respectfully disagrees with Applicant's assertion on Page 2, 4<sup>th</sup> Paragraph "The Examiner does not directly address this element ...". Examiner directly addressed the element of comparing a message code of the CBS message with a predetermined code corresponding to type and contents indicated by the header of the CBS message through the indication of the combination of Jung and Gaskill of the Office Action dated February 27, 2006 (See Pages 5 and 6 of Office Action).

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 – 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jung et al. (6,097,949) in view of Gaskill et al. (5,481,254).

Regarding Claim 1, Jung teaches a method of transmitting broadcasting information to a mobile station by utilizing a cell broadcasting service (CBS) (Column 2 lines 23 - 37), and transmitting the generated message by utilizing the CBS (Column 2 lines 23 – 37).

Jung does not specifically teach a method comprising: converting broadcasting information to a predetermined message code according to type and contents of the broadcasting information; generating a message having the converted predetermined message code and a header indicating the type of the broadcasting information in a format predetermined depending on the type of the broadcasting information; and wherein the converted predetermined message code includes a code that is predetermined for at least one word for indicating the contents of the broadcasting information.

Gaskill teaches a method comprising: converting broadcasting information to a predetermined message code according to type and contents of the broadcasting information (Column 4 lines 49 – 51, Column 5 lines 10 – 14, lines 26 – 42, if the type of broadcasting information is known then the contents of said broadcasting information is known thus the conversion will be according to the type and contents of the

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broadcasting information) and generating a message having the converted predetermined message code and a header indicating the type of the broadcasting information in a format predetermined depending on the type of the broadcasting information (Column 5 lines 26 – 42, the message type is indicated thus there will be a header for said indication); and wherein the converted predetermined message code includes a code that is predetermined for at least one word for indicating the contents of the broadcasting information (Column 5 lines 26 – 42, as set forth above, the digit patterns or codes indicate the actual type and contents of the broadcast information, said codes comprise code words).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the CBS system of Jung with the coding method of Gaskill for the purpose of providing an alternative means for providing general interest information such as local weather and sports to a group of mobile users as taught by Gaskill.

Regarding Claim 2, Jung in view of Gaskill teaches all of the claimed limitations recited in Claim 1. Gaskill further teaches wherein if the broadcasting information is weather information, the predetermined message code includes an area code, a date code, a time code, and a weather code (Column 5 lines 26 – 42, typical local weather information comprises area, date, time, and weather thus the code will comprise an area code, date code, time code, and weather code).

Regarding Claim 3, Jung teaches a method of receiving broadcasting information in a mobile station by utilizing a cell broadcasting service (CBS) (Column 2 lines 23 -

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37) and recovering broadcasting information by comparing a message code of the CBS message with a predetermined code (Figure 3, Column 3 lines 1 – 20, Column 3 lines 26 – 42).

Jung does not specifically teach a method comprising: checking a header of a CBS message upon receipt of the CBS message; and a code that corresponds to type and contents indicated by the header of the CBS message, if the header indicates there is a coded message.

Gaskill teaches a method comprising: checking a header of a broadcast message upon receipt of the broadcast message (Column 5 lines 26 – 42, the message type is indicated thus there will be a header for said indication) and a code corresponding to type and contents indicated by the header of the broadcast message, if the header indicates there is a coded message (Column 5 lines 26 – 42, if the type of broadcasting information is known then the contents of said broadcasting information is known).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the CBS system of Jung with the coding method of Gaskill for the purpose of providing an alternative means for providing general interest information such as local weather and sports to a group of mobile users as taught by Gaskill.

Regarding Claim 4, Jung in view of Gaskill teaches all of the claimed limitations recited in Claim 3. Gaskill further teaches wherein if the broadcasting information is weather information, the message code includes an area code, a date code, a time

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code, and a weather code (Column 5 lines 26 – 42, typical local weather information comprises area, date, time, and weather thus the code will comprise an area code, date code, time code, and weather code).

Regarding Claim 5, Jung teaches a method of transmitting and receiving broadcasting information by a cell broadcasting service (CBS) in a mobile telecommunication system (Column 2 lines 23 - 37) and recovering broadcasting information by comparing a message code of the CBS message with a predetermined code (Figure 3, Column 3 lines 1 – 20, Column 3 lines 26 – 42).

Jung does not specifically teach converting broadcasting information to a predetermined message code according to type and contents of the broadcasting information; generating a message having a header indicating the type of the broadcasting information and the predetermined message code in a format predetermined depending on the type of the broadcasting information; transmitting the generated message by utilizing the CBS; receiving the CBS message; checking the header of the CBS message upon receipt of the CBS message in a mobile station; and a code corresponding to the type and contents indicated by the header of the CBS message, if the header indicates there is a coded message.

Gaskill teaches a method comprising: converting broadcasting information to a predetermined message code according to type and contents of the broadcasting information (Column 4 lines 49 – 51, Column 5 lines 10 – 14, lines 26 – 42, if the type of broadcasting information is known then the contents of said broadcasting information is known thus the conversion will be according to the type and contents of the

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broadcasting information) and generating a message having the converted predetermined message code and a header indicating the type of the broadcasting information in a format predetermined depending on the type of the broadcasting information (Column 5 lines 26 – 42, the message type is indicated thus there will be a header for said indication); and wherein the converted predetermined message code includes a code that is predetermined for at least one word for indicating the contents of the broadcasting information (Column 5 lines 26 – 42, as set forth above, the digit patterns or codes indicate the actual type and contents of the broadcast information, said codes comprise code words); transmitting the generated message by utilizing the broadcast (Column 4 lines 49 – 51, Column 5 lines 10 – 14, lines 26 – 42); receiving the broadcast message; checking the header of the broadcast message upon receipt of the broadcast message in a mobile station (Column lines 26 – 42, the message type is indicated thus there will be a header for said indication); and a code corresponding to the type and contents indicated by the header of the broadcast message, if the header indicates there is a coded message (Column 5 lines 26 – 42, if the type of broadcasting information is known then the contents of said broadcasting information is known).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the CBS system of Jung with the coding method of Gaskill for the purpose of providing an alternative means for providing general interest information such as local weather and sports to a group of mobile users as taught by Gaskill.



Regarding Claim 6, Jung in view of Gaskill teaches all of the claimed limitations recited in Claim 5. Gaskill further teaches wherein if the broadcasting information is weather information, the message code includes an area code, a date code, a time code, and a weather code (Column 5 lines 26 – 42, typical local weather information comprises area, date, time, and weather thus the code will comprise an area code, date code, time code, and weather code).

Regarding Claim 7, Jung in view of Gaskill teaches all of the claimed limitations recited in Claim 6. Jung further teaches determining if a display state is active, and displaying the CBS message if the display state is active (Column 3 lines 26 – 42, the display state will become active for those mobile devices in Group A thus there is a determination of said display state).

Regarding Claim 8, Jung in view of Gaskill teaches all of the claimed limitations recited in Claim 6. Jung further teaches determining if a display state is active, and storing the CBS message if the display state is not active (Column 3 lines 26 – 46, the display state will not become active for those mobile devices in Group B thus there is a determination of said display state, since this is a CBS message all mobile devices will simultaneously receive and store said message).

### ***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

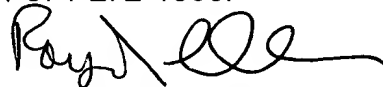
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond S. Dean whose telephone number is 571-272-7877. The examiner can normally be reached on Monday-Friday 6:00-2:30.

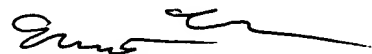
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F. Urban can be reached on 571-272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Raymond S. Dean  
August 23, 2006



EDWARD F. URBAN  
SUPERVISORY PATENT EXAMINER  
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